

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No. 19-73161
	:	
v.	:	
	:	Board Case Nos.:
AMAZING PET EXPOSITIONS LLC D/B/A	:	14-CA-232234
AMAZING PET EXPOS AND PET EVENT PROS	:	14-CA-232256
	:	14-CA-234201
Respondent	:	

MOTION TO DISMISS THE BOARD’S APPLICATION FOR
SUMMARY ENTRY OF A JUDGMENT ENFORCING AN ORDER
OF THE NATIONAL LABOR RELATIONS BOARD

To the Honorable, the Judges of the United States
Court of Appeals for the Ninth Circuit:

Pursuant to Federal Rule of Appellate Procedure 42(b), the National Labor Relations Board (“the Board”), by its Acting Deputy Associate General Counsel, respectfully moves to dismiss the Board’s application for enforcement in the above-captioned case, and shows:

1. The Board’s application for summary entry of a judgment enforcing its order issued against Amazing Pet Expositions LLC d/b/a Amazing Pet Expos and Pet Event Pros was submitted and docketed on December 11, 2019, as No. 19-73161.

2. As stated in Section A of the Board’s application for enforcement, the activities giving rise to this proceeding occurred in Missouri. Consequently, the

proper venue for this action is the Eighth Circuit. As the case caption header indicates, the application was prepared to be filed in the Eighth Circuit; however, it was inadvertently filed in the Ninth Circuit. Accordingly, the Board seeks to withdraw its application.

WHEREFORE, the Board requests that the Clerk enter an order dismissing without prejudice the above captioned case, each side to bear its own costs.

/s/David Habenstreit
David Habenstreit
Acting Deputy Associate General Counsel
National Labor Relations Board
1015 Half St., S.E.
Washington, D.C. 20570

Dated in Washington, D.C.
this 12th day of December, 2019

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 27(d)(2)(A), the Board certifies that its motion to dismiss contains 206 words of proportionally-spaced, 14-point type, and the word processing system used was Microsoft Word 2010. This document also complies with the typeface requirements of FRAP 32(a)(5) and the type-style requirements of FRAP 32(a)(6).

/s/David Habenstreit
David Habenstreit
Acting Deputy Associate General Counsel
National Labor Relations Board
1015 Half St., S.E.
Washington, D.C. 20570

Dated in Washington, D.C.
this 12th day of December, 2019

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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2019, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. I further certify that the foregoing document has this day been served by first class mail upon the following party at the addresses listed below:

William Rilenge, Owner
Amazing Pet Expositions LLC
d/b/a Amazing Pet Expos
881 Berick Drive
St. Louis, MO 63132

William Rilenge, Owner
Amazing Pet Expositions LLC
d/b/a Amazing Pet Expos
555 Washington Ave., Ste 310
St. Louis, MO 63103

/s/David Habenstreit
David Habenstreit
Acting Deputy Associate General Counsel
National Labor Relations Board
1015 Half St., S.E.
Washington, D.C. 20570

Dated in Washington, D.C.
this 12th day of December, 2019